

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature – Second Regular Session

MINUTES RECEIVED
CHIEF CLERK'S OFFICE

2-1-16

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION

Report of Regular Meeting
Thursday, January 28, 2016
House Hearing Room 1 -- 9:00 a.m.

Convened 9:05 a.m.
Recessed 11:00 a.m.
Reconvened 11:15 a.m.
Adjourned 12:35 p.m.

Members Present

Ms. Alston
Mr. Larkin
Mr. Lovas
Mr. Olson
Mr. Petersen
Mr. Saldate
Ms. Townsend
Mr. Ackerley, Vice-Chairman
Mr. Thorpe, Chairman

Members Absent

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Presentations

Name

None

Organization

Attachments (Handouts)

Committee Action

Bill

Action

Vote

Attachments

(Summaries,
Amendments, Roll Call,
Attendance)

HB2115	DPA	6-2-0-1	3, 4, 5
HB2160	DP	6-0-0-3	6, 7
HB2172	DP	9-0-0-0	8, 9
HB2178	DP	6-0-0-3	10, 11
HB2197	HELD		
HB2202	DP	6-1-0-2	12, 13
HB2226	DP	8-0-0-1	14, 15
HB2243	DP	6-0-0-3	16, 17
HB2252	DPA	7-2-0-0	18, 19, 20

HB2440	DP	5-3-0-1	21, 22
HB2443	DPA	7-0-0-2	23, 24, 25
HB2444	DP	8-0-0-1	26, 27
HB2447	DP	7-2-0-0	28, 29
HB2512	HELD		
HCR2008	DP	7-0-0-2	30, 31
HCR2011	DP	7-0-0-2	32, 33
HCR2023	DP	4-3-0-2	34, 35
HCR2031	DP	6-3-0-0	36, 37
HCR2033	DP	8-0-0-1	38, 39
HCR2034	HELD		
HCR2035	HELD		
ATTENDANCE REPORT			40

Meg Reilly, Chairman Assistant
Friday, January 29, 2016

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

REVISED#2 - 01/26/16

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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

REGULAR MEETING AGENDA

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION

DATE Thursday, January 28, 2016

ROOM HHR 1

TIME 9:00 A.M.

Members:

Ms. Alston
Mr. Larkin
Mr. Lovas

Mr. Olson
Mr. Petersen
Mr. Saldate

Ms. Townsend
Mr. Ackerley, Vice-Chairman
Mr. Thorpe, Chairman

Bills	Short Title	Strike Everything Title
HB2020	<u> </u> electronic notice; hearings; ordinances <u> </u> (Stevens) <u> </u> GHE, RULES	
HB2172	<u>DP</u> planned communities; architectural designs; approval <u>9-0-0-0</u> (Petersen, Thorpe) <u> </u> GHE, RULES	
HB2197	<u>Held</u> fire districts; merger; consolidation <u> </u> (Coleman, Carter, Fann, et al) <u>MMMM</u> GHE, RULES	
HB2202	<u>DP</u> JCCR; membership <u> </u> (Livingston) <u>6-1-0-2</u> GHE, RULES	
HB2223	<u> </u> prohibited money transfers; information sharing <u> </u> (Lawrence) <u> </u> GHE, RULES	

Attachment 1

Bills	Short Title	Strike Everything Title
HCR2008	<u>DP</u> day of remembrance; murder victims (Boyer) <u>7-0-0-2</u> GHE, RULES	
HCR2011	<u>DP</u> tartan day (Townsend, Finchem: Campbell, et al) <u>7-0-0-2</u> GHE, RULES	
HCR2033	<u>DP</u> Arizona pastor appreciation month (Montenegro, Kern: Livingston) <u>8-0-0-1</u> GHE, RULES	
HCR2034	<u>Kesd</u> Chicano history week (Mendez, Andrade, Bolding, et al) <u>inr</u> GHE, RULES	

ADDENDUM #1 - 01/21/16

HB2115	<u>DPA</u> public employees; misappropriation; penalty (Petersen, Borrelli, Cobb, et al) <u>6-2-0-1</u> GHE, RULES	
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ADDENDUM #2 - 01/26/16

HB2160	<u>DP</u> ASRS; eligible rollovers (Thorpe) <u>6-0-0-3</u> GHE, RULES	
HB2178	<u>DP</u> Arizona silver-haired legislature (Gabaldón, Bolding, Cardenas, et al) <u>6-0-0-3</u> GHE, APPROP, RULES	
HB2226	<u>DP</u> Juneteenth day; state holiday. (Bolding, Alston, Andrade, et al) <u>8-0-0-3</u> GHE, RULES	
HB2243	<u>DP</u> ASRS; LTD program; liability (Thorpe) <u>6-0-0-3</u> GHE, RULES	
HB2252	<u>DPA</u> lieutenant governor; duties; ballot (Mesnard) <u>7-2-0-1</u> GHE, RULES	

Bills	Short Title	Strike Everything Title
HB2440	<u>DP</u> municipal improvement districts; formation election <u>5-3-0-1</u> (Petersen) GHE, COM, RULES	
HB2443	<u>DPA</u> metal dealer licensure; local authority (Livingston, Borrelli, Fann, et al) <u>7-0-0-2</u> GHE, RULES	
HB2444	<u>DP</u> auxiliary containers; scrap metal dealers (Livingston, Fann: Mitchell, et al) <u>8-0-0-1</u> GHE, RULES	
HB2447	<u>DP</u> business entities; database; posting; requirements (Montenegro, Barton, Borrelli, et al) <u>7-2-0-0</u> GHE, RULES	
HB2512	<u>Held</u> pension contributions; expenditure limit exemption (Coleman, Fann: Boyer, et al) <u>W</u> GHE, RULES	
HCR2023	<u>DP</u> proposition 105; legislative authority (Thorpe: Barton, Boyer, et al) <u>4-3-0-2</u> GHE, RULES	
HCR2031	<u>DP</u> personal property tax; exemption (Mesnard) <u>6-3-0-0</u> GHE, APPROP, RULES	
HCR2035	<u>Held</u> clean elections; lobbying; rulemaking (Petersen) <u>GAZMAN</u> GHE, RULES	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

MR
1/21/16
1/26/16

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032, TDD (602) 926-3241.

Information Registered on the Request to Speak System

House Government and Higher Education (1/28/2016)

HCR2008, day of remembrance; murder victims

Testified in support:

Dan Levey, representing self

Support:

kathleen mayer, Pima County Attorney's Office; Rebecca Baker, Maricopa County Attorney's Office

Neutral:

Jennifer Petersen, representing self

Oppose:

Thomas Woodrow, representing self; Eric Orrill, representing self

All Comments:

Thomas Woodrow, Self: The national day of remembrance was started by a anti rights group that seeks to ban gun ownership . See this link, <http://remembersept25.org/> , it is a project of Stop Handgun Violence, a 501(c) (3) non profit. Kill this resolution now; Dan Levey, Self: The National Day of Remembrance for Murder Victims (DOR) will be observed on September 25th. The United States Congress created the National Day of Remembrance eight years ago to honor the memories of the nearly 15,000 people murdered every year.

HCR2011, tartan day

Testified in support:

Don Finch, representing self

Oppose:

Paul Klein, representing self

All Comments:

Don Finch, Self: I am representing the Caledonian Society of Arizona.

HB2172, planned communities; architectural designs; approval

Support:

William Gregory Eisert, representing self

Oppose:

Kevin DeMenna, COMMUNITY ASSOCIATIONS INSTITUTE

All Comments:

Kevin DeMenna, COMMUNITY ASSOCIATIONS INSTITUTE: We have met with the sponsor. We look forward to the opportunity to identify a resolution.

HCR2033, Arizona pastor appreciation month**Testified as opposed:**

Tory Anderson, SECULAR COALITION FOR ARIZONA

Oppose:

Misty Currier, representing self; Belinda Escalante, representing self; Stephanie Seigla, representing self; James Lippard, representing self; Judith Simons, representing self; Amanda Morton, representing self; Amy Arnold, representing self; Christina DeGus, representing self; Caleb Naugle, representing self

All Comments:

Tory Anderson, SECULAR COALITION FOR ARIZONA: The First Amendment's Establishment Clause prohibits the government from making any law "respecting an establishment of religion." We ask you to vote NO on this bill which clearly favors one religion over others.; Misty Currier, Self: First amendment; Belinda Escalante, Self: We should not be recognizing pastors vs other religious groups. If at all it should be a day recognizing a interfaith community. That includes all religions and spiritual beliefs and lifestyles that embrace a peaceful co-existence.; Stephanie Seigla, Self: "... that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between Church & State."; James Lippard, Self: The term "pastor" refers to Christian & primarily Protestant Christian leaders, so this is sectarian establishment of religion contrary to the 1st Amendment of the U.S. Constitution and Arizona's Constitution Art 2, Sec 12.; Judith Simons, Self: This is absolutely NOT the business of government. It alienates & offends anyone who does not follow the Christian religion. As the Legislature has plenty of real problems to deal with, this bill is a wholly inappropriate use of its time & resources.; Amanda Morton, Self: The word "pastor" clearly favors Christian clergy over clergy of other faiths. Also, this bill elevates religious servants over other excellent community servants with no affiliation to religious groups. Establishment clause violation. Vote No.; Christina DeGus, Self: This clearly violates the separation of church and state.; Caleb Naugle, Self: Besides the first amendment clearly outlining the separation of church and state, this is clearly a sectarian bill by referencing "pastor" which is indicative of only Christian churches. Arizona is by far not only Christian. Stick to the constitution.

HB2115, public employees; misappropriation; penalty**Testified as neutral:**

Patrice Kraus, LEAGUE OF ARIZONA CITIES & TOWNS, Self

Support:

Sandi Bartlett, representing self; Jose Borrajero, representing self; Lyle Tuttle, representing self; Janelle Solomon, representing self; Alan and Marsha Anderson, representing self; Tom Holding, representing self; Domingos Santos, representing self; Anita Christy, representing self; martha hayes, representing self; John Baunoch, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self

All Comments:

Anita Christy, Self: Please read: A public official who is caught and terminated for fraudulently, lavishly spending taxpayer dollars on meals, travel, hotels, entertaining, etc., should NOT be rewarded with golden severance packages and/or other benefits.; Patrice Kraus, LEAGUE OF ARIZONA CITIES & TOWNS, Self: We have concerns with the bill as drafted and would like to these issues on the record.

HB2160, ASRS; eligible rollovers**Support:**

Nicholas Ponder, AZ STATE RETIREMENT SYSTEM

HB2178, Arizona silver-haired legislature**Support:**

Mariana Spier, representing self; Bill Gates, representing self; Tory Anderson, AZ ALLIANCE FOR RETIRED AMERICANS

All Comments:

Bill Gates, Self: Silver-haired Legislature has worked in the past and can work well again in helping focus attention on issues important to lives of seniors. There are many such issues. Please pass this bill. It works well in about two dozen states.

HB2226, Juneteenth day; state holiday.**Testified in support:**

Channel Powe, representing self; cloves campbell, representing self

Support:

Dianne Post, representing self; Jevin Hodge, representing self; Floyd Galloway, representing self; Lanette Campbell, representing self; Jeremy M. Helfgot, representing self; Devin DelPalacio, representing self; Yorick Hempstead, representing self

All Comments:

Dianne Post, Self: I'm speaking for Maricopa County NAACP as a registered, unpaid, lobbyist.; Jevin Hodge, Self: By establishing the Juneteenth Holiday in AZ, we as a state, will be taking a monumental step in the right direction and working towards painting positive image for AZ in the national spotlight. Thank you.; Floyd Galloway, Self: As president of S Chandler org that hosts Juneteenth events HB2226 will honor the sacrifice of those that fought to

make America embody its constitution. This bill will unite AZ with over 40 states that have already recognized it as a worthy holiday.; Lanette Campbell, Self: The creation of the bill will assist in our continued efforts to serve our community and promote the Local and National recognition of Juneteenth. This event is celebrated in numerous cities in AZ including Flagstaff, Yuma, Tucson and Prescott.; Channel Powe, Self: This would be a day for us as proud Arizonans to pause and assess from which we came and where we are now. This is a special day because it took freedom an additional two years after The Emancipation Proclamation to touch people in the southwest.; Jeremy M. Helfgot, Self: As a member of the Phoenix Human Relations Commission and a strong advocate for embracing proud moments in our National history, I strongly urge support of HB 2226 to enshrine the abolishment of slavery as a recognized holiday for all Arizonans.; Devin DelPalacio, Self: Juneteenth, celebrates African American freedom and achievement, while encouraging continuous self-development and respect for all cultures. Such a day should be recognized as it represents a pivotal moment in American history.; Yorick Hempstead, Self: As a parent and constituent, this would be a wonderful step forward for the Arizona to take towards creating an atmosphere of cooperation and self sufficient determination.

HB2243, ASRS; LTD program; liability

Testified in support:

Nicholas Ponder, AZ STATE RETIREMENT SYSTEM

HB2443, metal dealer licensure; local authority

Testified in support:

Nick Simonetta, Arizona Scrap Recyclers Association

Support:

John Wayne Gonzales, Legislative Liaison, City Of Phoenix; Steve Trussell, Arizona Rock Products Association; Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS

HB2444, auxiliary containers; scrap metal dealers

Testified in support:

Nick Simonetta, Arizona Scrap Recyclers Association

Support:

Dale Wiebusch, Legislative Associate, LEAGUE OF ARIZONA CITIES & TOWNS

HB2447, business entities; database; posting; requirements

Testified in support:

Justin Yentes, representing self; Scot Mussi, Arizona Free Enterprise Club; Tom Forese, representing self

Testified as opposed:

Tom Lee, WICK COMMUNICATIONS; John Moody, Arizona Newspapers Association (ANA)

Support:

Aimee Rigler, AZ FREE ENTERPRISE CLUB, Self; David Tait, representing self; Gregg Olsen, representing self; James Torgeson, representing self; Barbara Addiego, representing self; Becky Cholewka, Self, SMALL BUSINESS ALLIANCE AZ; Eric Emmert, East Valley Chambers Of Commerce Alliance ; Dow Rigler, representing self; Genevra Richardson, Small Business Alliance Of AZ

Oppose:

Paula Casey, Arizona Newspapers Association (ANA); Tabitha James, representing self; Manuel Vargas, representing self; Marilyn Purvis, WICK COMMUNICATIONS; Brian billings, representing self; Leona Gibson, representing self; Michael Preston Green, AZ CAPITOL TIMES / AZ NEWS SERVICE; Hollister David, representing self; Gabrielle David, representing self; Ryan Harper, Arizona Trustees Association; BLAKE DEWITT, representing self; Ginger Lamb, Arizona News Service/Arizona Capitol Times; Mike Quinn, representing self

All Comments:

Aimee Rigler, AZ FREE ENTERPRISE CLUB, Self: We support all policy changes which improve and simplify the process to start a business; Paula Casey, Arizona Newspapers Association (ANA): This bill clearly takes more jobs from the private sector and gives them to Government. The ACC is nowhere ready to handle this task better than the private sector. Without the \$2.0 million appropriation requested in SB1161, the ACC can't do this.; David Tait, Self: I support this bill. It's good for small business.; Tabitha James, Self: I work in the industry for a newspaper that will be impacted significantly . The ACC will not be able to handle the volume this comes with. Leave the ACC publications to the respected newspapers.; Gregg Olsen, Self: This needs to pass; Manuel Vargas, Self: I also work for the newspaper industry. This bill will greatly impact many jobs.; James Torgeson, Self: In this day and age, it's simply a waste of time and money to advertise this way.; Leona Gibson, Self: I work in the newspaper industry. This bill will create job loss.; Hollister David, Self: Not everyone gets their info via the internet. 2/3 of our subscribers opt for the traditional newspaper, 1/3 choose digital. Our notices are also uploaded to a database, text format, legible and easy to search.; Gabrielle David, Self: The current ACC database & often illegible stored images have issues. Arizona newspapers through ANA, offer a searchable database and readable material. Why add more government at taxpayer expense & loss of private sector jobs?; Justin Yentes, Self: I support HB2447. I feel that the bill will bring Arizona's process into the 21st century and will ease the process for individuals to start their own business.; BLAKE DEWITT, Self: Another bill that takes private jobs and makes them public using more government resources. This will be extremely detrimental to the newspaper industry which employs me.; Barbara Addiego, Self: Starting a small business is a daunting task in itself. Another filing, another publication another government issued command on top of all the needed documentation is another burden and all for NOTHING! Stop the unwanted and stupid paperwork!; Becky Cholewka, Self, SMALL BUSINESS ALLIANCE AZ: I am an estate planning/business attorney who helps mom & pop business owners create LLC's. This bill will make it easier for someone to start a business. Many people never publish because it was too confusing. This will make it less burdensome.; Ginger Lamb, Arizona News Service/Arizona Capitol Times: Have lost my voice today. MPG will speak on my behalf.; Mike Quinn, Self: The proposed alternatives to notifying the public are likely to provide less, not more, notice and should be rejected.

HCR2023, proposition 105; legislative authority

Support:

Jose Borrajero, representing self; Lyle Tuttle, representing self; Eric Spencer, AZ SECRETARY OF STATE; Alan and Marsha Anderson, representing self; martha hayes, representing self; Eric Emmert, East Valley Chambers Of Commerce Alliance

Oppose:

Lynne Weaver, representing self; Geoff Esposito, Arizona School Boards Association; John Baunoch, representing self; Janice Palmer, AZ School Boards Assn

All Comments:

Lynne Weaver, Self: Never give power back to the government. This bill weakens the Citizens' Initiative process and gives you more lobbyists with more power and control over Legislators.; Eric Spencer, AZ SECRETARY OF STATE: Speak if necessary.

HCR2031, personal property tax; exemption

Support:

Farrell Quinlan, State Director, NATIONAL FEDERATION OF INDEPENDENT BUSINESS; Garrick Taylor, Arizona Chamber Of Commerce And Industry

Neutral:

Sean Laux, AZ DEPT OF REVENUE

HCR2035, clean elections; lobbying; rulemaking

Support:

Eric Spencer, AZ SECRETARY OF STATE; Boaz Witbeck, AMERICANS FOR PROSPERITY AZ; Tom Jenney, AMERICANS FOR PROSPERITY AZ; Garrick Taylor, Arizona Chamber Of Commerce And Industry; Josh Kredit, CENTER FOR ARIZONA POLICY

Oppose:

Samantha Pstross, AZ ADVOCACY NETWORK; Bill Gates, representing self; Carol Maas, representing self; Belinda Escalante, representing self; Thomas Collins, CITIZENS CLEAN ELECTIONS COMMISSION; Joseph Guzman, representing self; Robyn Prud'homme-Bauer, representing self; William Kip, representing self

All Comments:

Bill Gates, Self: Voters approved the Clean Elections systems. This is a blatant attempt to undercut the concept and, thus, undercut the will of Arizona's voters. We should be strengthening Clean Elections and spreading light on 'dark money.'; Carol Maas, Self: This is an attempt to tie the hands of the Clean Elections Board and I oppose this. Voters have a right to defend themselves as the voters put in the Clean Election program with their votes. Let not deny equal defense of this program.; Belinda Escalante, Self: The Clean Elections should be able to have the right to hire

lobbyists. They are not necessarily popular with special interest groups that have big money. I believe that the C.E. should have the right to have advocates assisting them.

HB2512, pension contributions; expenditure limit exemption

Support:

Douglas Cole, MARICOPA COUNTY; Michael Colletto, PROFESSIONAL FIRE FIGHTERS OF AZ; James Mann, FRATERNAL ORDER OF POLICE (AZ STATE LODGE); Jen Marson, AZ ASSOCIATION OF COUNTIES; Tom Belshe, League Of Arizona Cities And Towns

Oppose:

Jose Borrajero, representing self; Lyle Tuttle, representing self; Alan and Marsha Anderson, representing self; Tom Holding, representing self; martha hayes, representing self; John Baunoch, representing self; Christine Maceri Genge, representing self; Dennis Genge, representing self

All Comments:

Alan and Marsha Anderson, Self: This bill should not be passed out of your committee. Thank you for your consideration.; John Baunoch, Self: I encourage you to vote against this bill. I feel that budgets should be honored.

HB2440, municipal improvement districts; formation election

Testified in support:

Con Englehorn, representing self

Testified as opposed:

Patrice Kraus, LEAGUE OF ARIZONA CITIES & TOWNS

Support:

Marcus Dell'Artino, representing self; James Hamilton, representing self; Michelle Ahlmer, AZ RETAILERS ASSN; Bramley Paulin, representing self; kurt schneider, representing self; Meghaen Dell'Artino, representing self; Honeylou Reznik, representing self; karen baer, representing self; erick baer, representing self; Lynn Watson, representing self; Sabrina Choi, representing self; Dmitry Baer, representing self; Andrew Watson, representing self; Jim Waring, representing self; Scot Mussi, Arizona Free Enterprise Club; Aimee Rigler, AZ FREE ENTERPRISE CLUB

Oppose:

Anna McCray, APACHE JUNCTION, CITY OF

All Comments:

Marcus Dell'Artino, Self: if necessary; James Hamilton, Self: Representing Self; Bramley Paulin, Self: Property owners need an opportunity to vote; kurt schneider, Self: This bill will allow all property owners to vote in creating special taxing districts.; Honeylou Reznik, Self: I support this for equal voting status.



HOUSE OF REPRESENTATIVES

HB 2115

public employees; misappropriation; penalty
Prime Sponsor: Representative Petersen, LD 12

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2115 bars public officers or employees found to misappropriate public monies from receiving any benefits or severance pay.

PROVISIONS

1. States that any public officer or employee of a public agency found to have misappropriated public monies is not eligible to receive any severance pay, annuity payments, pension benefits or any other benefits provided by the public agency.
2. Requires each public agency to include a clause in any new employment contract entered into that prohibits a public officer or employee who misappropriates public monies from receiving any benefits or severance.
3. Renames the article heading.

CURRENT LAW

Public officer includes all elected and appointed officers of a public agency established by charter, ordinance, resolution, state constitution or statute. *Employee* means all non-public officers employed on a full-time, part-time or contract basis by an incorporated city or town, political subdivision or this state or any of its departments, commissions, agencies, bodies or boards for remuneration. *Public agency* is defined as: 1) all courts; 2) any department, agency, board, commission, institution, instrumentality, legislative or administrative body of this state, a county, an incorporated town or city and any other political subdivision; and 3) the state, county and incorporated cities or towns and any other political subdivisions (A.R.S. § 38-502).

Attachment 3

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2115

(Reference to printed bill)

- 1 Page 1, line 8, after "penalty:" insert "notice:"
2 Line 10, after "IF" insert "A GOVERNING BODY OF A PUBLIC AGENCY DETERMINES
3 THAT"; strike "IS FOUND TO"
4 Line 11, strike "HAVE" insert "HAS"
5 Line 13, after the period insert "IF A DIRECTOR OF A PUBLIC AGENCY THAT IS NOT
6 GOVERNED BY A GOVERNING BODY FINDS THAT ANY PUBLIC OFFICER OR EMPLOYEE OF A
7 PUBLIC AGENCY HAS MISAPPROPRIATED PUBLIC MONIES, THE DIRECTOR SHALL REFER THE
8 FINDING TO THE STATE PERSONNEL BOARD FOR A DETERMINATION. NOT LATER THAN
9 SIXTY DAYS AFTER THE DATE ON WHICH THE DIRECTOR REFERRED THE FINDING TO THE
10 STATE PERSONNEL BOARD, THE STATE PERSONNEL BOARD SHALL MAKE A DETERMINATION
11 REGARDING THE FINDING. IF THE STATE PERSONNEL BOARD DETERMINES THAT THE
12 PUBLIC OFFICER OR EMPLOYEE OF A PUBLIC AGENCY MISAPPROPRIATED PUBLIC MONIES,
13 THE PUBLIC OFFICER OR EMPLOYEE IS NOT ELIGIBLE TO RECEIVE ANY SEVERANCE PAY,
14 ANNUITY PAYMENTS, PENSION BENEFITS OR ANY OTHER BENEFIT THAT WOULD OTHERWISE
15 BE PROVIDED BY THE PUBLIC AGENCY.
16 B. ON A DETERMINATION THAT A PUBLIC OFFICER OR EMPLOYEE OF A PUBLIC
17 AGENCY MISAPPROPRIATED PUBLIC MONIES, THE GOVERNING BODY OF THE PUBLIC AGENCY
18 OR THE DIRECTOR OF THE PUBLIC AGENCY THAT IS NOT GOVERNED BY A GOVERNING BODY
19 SHALL NOTIFY THE APPROPRIATE RETIREMENT SYSTEM OR PLAN OF THE DETERMINATION
20 AND DIRECT THE RETIREMENT SYSTEM OR PLAN TO WITHHOLD THE OFFICER'S OR
21 EMPLOYEE'S PENSION BENEFITS."
22 Reletter to conform
23 Amend title to conform

WARREN H. PETERSEN

2115PETERSEN
01/26/2016
8:19 AM
C: ns

Adopted <input checked="" type="checkbox"/>	# of Verbals _____
Failed _____	Withdrawn _____
Not Offered _____	Analysts Initials _____

Attachment 4

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2115

DATE January 28, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston			✓		
Mr. Larkin			✓		
Mr. Lovas		✓			
Mr. Olson					✓
Mr. Petersen		✓			
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		6	2	0	1

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

May Reilly
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 5



HOUSE OF REPRESENTATIVES

HB 2160

ASRS; eligible rollovers

Prime Sponsor: Representative Thorpe, LD 6

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2160 allows direct transfers of rollovers into the Arizona State Retirement System (ASRS).

PROVISIONS

1. Allows the ASRS Board (Board) to accept a direct transfer from a member's Individual Retirement Account (IRA) or Individual Retirement Annuity (Annuity).
2. Removes the Board's ability to accept a member's rollover contribution of a distribution from an IRA or Annuity.
3. Makes a technical change.

CURRENT LAW

The Board may accept member contributions for payment for credited service purchases by any of the following methods: 1) lump sum payments; 2) direct transfer of any eligible rollover distribution or a contribution of an eligible rollover distribution; 3) rollover contribution of a distribution from an IRA or Annuity; and 4) installment payments over a period of time as provided by rule (A.R.S. § 38-747).

ADDITIONAL INFORMATION

According to the Internal Revenue Service (IRS), a direct rollover is completed by asking a plan administrator to make the payment directly to another retirement plan or to an IRA. No taxes will be withheld from transfer amount in direct rollovers. A 60-day rollover is paid directly to the person for deposit into an IRA or retirement plan within 60 days. Taxes will be withheld from a distribution from a retirement plan so other funds will need to be used to rollover the full amount of the distribution.

Attachment 6

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2160

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas					✓
Mr. Olson		✓			
Mr. Petersen					✓
Mr. Saldate		✓			
Ms. Townsend					✓
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		6	0	0	3

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Mary Rully
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 7



HOUSE OF REPRESENTATIVES

HB 2172

planned communities; architectural designs; approval
Prime Sponsor: Representative Petersen, et al., LD 12

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2172 prohibits the unreasonable withholding of a construction project's architectural designs, plans and amendments.

PROVISIONS

1. Stipulates that the approval of a construction project's architectural designs, plans and amendments may not be unreasonably withheld by the planned communities' design review committee, architectural committee or a committee that performs a similar function (review committee).

CURRENT LAW

A planned communities' review committee must include at least one member of the board of directors who serves as chairman of the committee. A planned community that has enacted design or architectural guidelines and also requires a security deposit for new construction or rebuilds of the main residential structure on a lot in a planned community must: 1) place the deposit in a trust account; 2) hold a final design approval meeting and provide written acknowledgement that the approved plans are in compliance with all rules and guidelines at the time of approval; 3) provide two on-site formal reviews; 4) provide written reports and follow the outlined procedures for the release of the security deposit; and 5) declare that neither the approval of the plans or approval of the actual construction constitutes a representation or warranty of compliance with applicable government requirements or engineering, design or safety standards (A.R.S. § 33-1817).

Attachment 8

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2172

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas		✓			
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		9	0	0	0

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

May Reilly
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 9



HOUSE OF REPRESENTATIVES

HB 2178

Arizona silver-haired legislature

Prime Sponsor: Representative Gabaldón, LD 2

X Committee on Government and Higher Education

Committee on Appropriations

Caucus and COW

House Engrossed

OVERVIEW

HB 2178 establishes the Arizona Silver-Haired Legislature (Legislature) and appropriates \$60,000 from the state General Fund (GF) to the Legislature in Fiscal Year (FY) 2017.

PROVISIONS

1. Establishes the Legislature consisting of a nonpartisan panel of elected citizens who are at least 60 years of age and who are elected by their peers.
2. Appropriates \$60,000 from the state GF to the Legislature in FY 2017.
3. Exempts the appropriation from lapsing.
4. Requires the Legislature to:
 - a. identify various issues and concerns affecting all Arizona citizens;
 - b. provide seniors with a valuable forum to discuss policy alternatives and possible solutions while acknowledging limitations imposed by budget constraints, tax implications and fiscal impacts;
 - c. demonstrate the benefits of direct participation in the legislative process while fostering a better understanding and awareness of legislative procedure among individuals of all ages;
 - d. promote effective government;
 - e. actively seek private funding and corporate sponsorship; and
 - f. annually submit recommendations to the Governor, President of the Senate (President) and Speaker of the House of Representatives (Speaker).
5. Allows the President and the Speaker to present issues to the Legislature for deliberation.
6. Terminates the Legislature on July 1, 2024.

CURRENT LAW

Not currently addressed in statute.

Attachment 10

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2178

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas					✓
Mr. Olson		✓			
Mr. Petersen					✓
Mr. Saldate		✓			
Ms. Townsend					✓
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		6	0	0	3

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Mary Bally
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 11



HOUSE OF REPRESENTATIVES

HB2202

JCCR; membership

Prime Sponsor: Representative Livingston, LD 22

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2202 modifies membership requirements for the Joint Committee on Capital Review (JCCR).

PROVISIONS

1. Removes the limitation that the President of the Senate and the Speaker of the House of Representatives (House) can only appoint members of the Appropriations Committees to JCCR.
2. Makes technical and conforming changes

CURRENT LAW

JCCR consists of the following 14 members: 1) the chairmen of the House and Senate Appropriations Committee; 2) the House and Senate Majority and Minority Leaders; 3) four members of the House Appropriations Committee appointed by the Speaker and four members of the Senate Appropriations committee appointed by the President (A.R.S. § 41-1251). JCCR is required to: 1) develop and approve a uniform formula for computing annual building renewal funding needs and a uniform format for the collection of data for the formula; 2) approve building systems for the purposes of computing and funding building renewal and for preparing capital improvement plans; 3) review the state capital improvement plan and make recommendations to the Legislature concerning funding for land acquisition, capital projects and building renewal; and 4) review the expenditure of all monies appropriated for land acquisition, capital projects and building renewal (A.R.S. § 41-1252).

Attachment 12

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2202

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston			✓		
Mr. Larkin					✓
Mr. Lovas					✓
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		6	1	0	2

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

May Reilly
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2226

Juneteenth day; state holiday.

Prime Sponsor: Representative Bolding, LD 27

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2226 establishes June 19 of each year as Juneteenth Day.

PROVISIONS

1. Designates June 19 of each year as Juneteenth Day.
2. States June 19 is not a legal holiday.

CURRENT LAW

Not currently addressed in statute.

Attachment 14

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2226

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas					✓
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		8	0	0	1

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Margaret Reilly
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 15



HOUSE OF REPRESENTATIVES

HB 2243

ASRS; LTD program; liability

Prime Sponsor: Representative Thorpe, LD 6

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2243 exempts the Arizona State Retirement System (ASRS), the Board, any Board member, agent or employee of ASRS (employee) from being held liable for actions taken within their powers and duties.

PROVISIONS

1. Stipulates there is no liability on the part of an employee for any action taken in the performance of their powers and duties relating to the Long-Term Disability (LTD) Program unless the action was intended to cause injury or the employee was grossly negligent.

CURRENT LAW

The ASRS Board administers the LTD Program and ASRS officers, contractors and personnel are required to perform the prescribed duties. The Board may enter into a contract with an insurance company or another entity to administer all or part of the LTD Program and to determine eligibility for benefits. The Board may determine the LTD Program rights, benefits or obligations of any person and afford any person dissatisfied with the determination with a hearing (A.R.S. § 38-797.03). Employers, the Board or any Board member are not liable for any act or failure to act that is made in good faith. Additionally, employers are not responsible for any act or failure to act by the Board or any Board member and vice versa (A.R.S. § 38-797.10).

Attachment 16

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2243

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas					✓
Mr. Olson		✓			
Mr. Petersen					✓
Mr. Saldate		✓			
Ms. Townsend					✓
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		6	0	0	3

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Mary Reilly
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2252

lieutenant governor; duties; ballot

Prime Sponsor: Representative Mesnard, LD 17

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2252 establishes the office of Lieutenant Governor.

PROVISIONS

1. Directs a candidate for Governor to submit to the Secretary of State (SOS) the name of the person who will be the joint candidate for Lieutenant Governor at least 60 days before the general election.
2. Specifies that the candidate's name for Lieutenant Governor will appear on the general election ballot jointly with the candidate for Governor.
3. Designates the Lieutenant Governor the Director of ADOA.
4. Conditions the enactment upon voter approval and passage of the accompanying House Concurrent Resolution 2020.
5. Directs Legislative Council to prepare conforming legislation.
6. Contains technical and conforming changes.

CURRENT LAW

The direction, operation and control of ADOA is the responsibility of the Director. The Director is appointed by the Governor with the advice and consent of the Senate and serves at the pleasure of the Governor (A.R.S. § 41-701).

ADDITIONAL INFORMATION

The SOS succeeds the Governor in event of death, resignation, removal from office or permanent disability. If the SOS fails to qualify as Governor, the Attorney General, State Treasurer or the Superintendent of Public Instruction succeeds the Governor (Arizona Constitution Article V § 6).

Arizona is one of five states that does not have a position of Lieutenant Governor. According to the National Lieutenant Governors Association, 30 states require joint election of the Governor and Lieutenant Governor. Of the remaining four states, two designate the SOS and two designate the Senate President to succeed the Governor.

In 2010, Proposition 111 was referred to the ballot to rename the SOS as the Lieutenant Governor and would have required the Governor to run separately from the Lieutenant Governor (S.C.R. 1013). Proposition 111 was not passed by the voters.

Attachment 18

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2252

(Reference to printed bill)

- 1 Page 4, line 23, strike "____" insert "2020"
- 2 Amend title to conform

BOB THORPE

2252THORPE
01/27/2016
08:15 AM
H: sc/ajh

Adopted ☒ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2252

DATE January 28, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston			✓		
Mr. Larkin	✓	✓			
Mr. Lovas	✓	✓			
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate			✓		
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		7	2	0	0

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Mary Reilly
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 20



HOUSE OF REPRESENTATIVES

HB 2440

municipal improvement districts; formation election

Prime Sponsor: Representative Petersen, LD 12

X Committee on Government and Higher Education

Committee on Commerce

Caucus and COW

House Engrossed

OVERVIEW

HB 2440 requires the formation of a Municipal Improvement District (District) to be submitted to qualified landowners and electors.

PROVISIONS

1. Requires the governing body of a municipality to submit, after the final resolution of any protests made, the formation of a District to an election of:
 - a. qualified landowners in the district and other qualified landowners under the acreage system of voting; and
 - b. other qualified electors who reside within the boundaries of the proposed district.
2. Specifies each landowner has the number of votes, or portions of votes equal to the number of acres or portions of acres, rounded upward to the nearest 500th of an acre.
3. Allows the formation of the District upon approval of a majority of the landowners and qualified electors voting on the matter.
4. Contains a retroactive date of January 1, 2016.
5. Makes conforming changes.

CURRENT LAW

The governing body of a municipality is required to pass a resolution or an ordinance declaring its intention to order the formation of a District and include: 1) a description of the improvement; 2) the land necessary; and 3) the boundaries of the district (A.R.S. § 48-505). When the proposed improvement, in the opinion of the governing body, is of more than local or ordinary public benefit, it may order the expense of the improvement chargeable upon another District. The governing body of a municipality is prohibited from assessing the costs of an improvement for general public benefit against land in a District. If a portion of the expense of an improvement is for general public benefit, the city or town must assess the District only for the portion of the expense that benefits the property in the District (A.R.S. § 48-576).

The street superintendent is required to make the assessment in writing and describe each lot, piece or parcel of land assessed for the improvement. The assessment must show the total sum to be raised, the items of the total sum and the amount assessed for each lot, piece or parcel of land (A.R.S. § 48-520).

Attachment 21

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2440

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston			✓		
Mr. Larkin			✓		
Mr. Lovas		✓			
Mr. Olson					✓
Mr. Petersen		✓			
Mr. Saldate			✓		
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		5	3	0	1

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Thuy Reilly
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2443

metal dealer licensure; local authority

Prime Sponsor: Representative Livingston, LD 22

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2443 asserts that the state preemption regulating auxiliary containers does not affect a city's, town's or county's power to enforce laws relating to business licensing of scrap metal dealers (dealers).

PROVISIONS

1. Stipulates the prohibition on the regulation of auxiliary containers by a city, town or county does not affect a city's, town's or county's power to enforce laws relating to business licensing of dealers.
2. Makes technical and conforming changes.

CURRENT LAW

Statute regulates dealers and prohibits counties, cities and towns from enacting or enforcing ordinances, rules or regulations that conflict with the statutory provisions (A.R.S. § 44-1645). The Legislature has determined that dealer registration is a matter of statewide concern, and therefore the power of registration is preempted by the state. However, statutory dealer requirements do not affect a city's, town's or county's authority to enforce business licensing laws. Dealer requirements do not apply to a city's, town's or county's system for licensing a dealer if the licensing system includes background checks or identification and fingerprinting of the owners of the dealer. A dealer's license that is current and in good standing with a city's, town's or county's licensing system before September 13, 2013, is in compliance with that licensing system and does not need to reapply unless there is an event or circumstance that requires an amendment or filing pursuant to the city's, town's or county's licensing system's requirements (A.R.S. § 44-1648).

Scrap metal dealer means each person or business entity, except an automotive recycler, that is engaged in the business of purchasing, trading, bartering or otherwise receiving secondhand or castoff material of any kind which is commonly known as scrap metal (A.R.S. § 44-1641). *Auxiliary containers* include beverage cans, bottles and containers made out of aluminum or similar materials used for transporting merchandise to or from a business or multifamily housing property (A.R.S. §§ 9-500.36 and 11-269.14)

Attachment 23

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2443

(Reference to printed bill)

1 Page 1, after line 23, insert:

2 "Sec. 2. Section 44-1648, Arizona Revised Statutes, is amended to
3 read:

4 44-1648. Preemption; power of local authorities; city, town or
5 county licensing system

6 A. The state legislature determines that the registration of scrap
7 metal dealers is a matter of statewide concern. The power to register scrap
8 metal dealers is preempted by this state.

9 B. SECTIONS 9-500.38 AND 11-269.15 DO NOT AFFECT A CITY'S, TOWN'S OR
10 COUNTY'S POWER TO ENFORCE LAWS RELATING TO BUSINESS LICENSING OF SCRAP METAL
11 DEALERS. This article does not affect a city's, town's or county's power to
12 enforce laws relating to business licensing. SECTIONS 9-500.38 AND 11-269.15
13 AND this article ~~does~~ DO not apply to a city's, town's or county's system for
14 licensing a scrap metal dealer if the licensing system includes background
15 checks or identification and fingerprinting of the owners of the scrap metal
16 dealer.

17 C. A scrap metal dealer's license that is current and in good standing
18 with a city's, town's or county's licensing system before September 13, 2013
19 is in compliance with that licensing system and the city, town or county may
20 not require the scrap metal dealer to reapply for licensure in order to be in
21 compliance with the city's, town's or county's ~~licensure~~ LICENSING system
22 unless there is an event or circumstance that requires an amendment or filing
23 pursuant to the city's, town's or county's licensing system's requirements.

Adopted ✓ # of Verbals
Failed Withdrawn
Not Offered Analysts Initials

Attachment 24

1 Sec. 3. Conditional enactment

2 A. If House Bill 2131, fifty-second legislature, second regular
3 session, relating to the regulation of auxiliary containers, becomes law,
4 both of the following apply:

5 1. Section 1 of this act does not become effective.

6 2. Section 2 of this act becomes effective.

7 B. If House Bill 2131, fifty-second legislature, second regular
8 session, relating to the regulation of auxiliary containers, does not become
9 law, both of the following apply:

10 1. Section 1 of this act becomes effective.

11 2. Section 2 of this act does not become effective."

12 Amend title to conform

BOB THORPE

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01/22/2016
12:36 PM
C: MU

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2443

DATE January 28, 2016 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin					✓
Mr. Lovas					✓
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		7	0	0	2

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Meg Reilly
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HB 2444

auxiliary containers; scrap metal dealers

Prime Sponsor: Representative Livingston, LD 22

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2444 asserts that the state preemption regulating auxiliary containers does not affect the regulation of scrap metal dealers (dealers) as prescribed in statute.

PROVISIONS

1. Declares the state preemption regulating the sale, use or disposition of auxiliary containers does not affect the regulation of dealers, including the authority of a city, town or county to license dealers and enforce laws relating to business licensing.
2. Makes technical and conforming changes.

CURRENT LAW

Statute regulates dealers and prohibits counties, cities and towns from enacting or enforcing ordinances, rules or regulations that conflict with the statutory provisions (A.R.S. § 44-1645). The Legislature has determined that dealer registration is a matter of statewide concern, and therefore the power of registration is preempted by the state. However, statutory dealer requirements do not affect a city's, town's or county's authority to enforce business licensing laws. Dealer requirements do not apply to a city's, town's or county's system for licensing a dealer if the licensing system includes background checks or identification and fingerprinting of the owners of the dealer. A dealer's license that is current and in good standing with a city's, town's or county's licensing system before September 13, 2013, is in compliance with that licensing system and does not need to reapply unless there is an event or circumstance that requires an amendment or filing pursuant to the city's, town's or county's licensing system's requirements (A.R.S. § 44-1648).

Scrap metal dealer means each person or business entity, except an automotive recycler, that is engaged in the business of purchasing, trading, bartering or otherwise receiving secondhand or castoff material of any kind which is commonly known as scrap metal (A.R.S. § 44-1641). *Auxiliary containers* include beverage cans, bottles and containers made out of aluminum or similar materials used for transporting merchandise to or from a business or multifamily housing property (A.R.S. §§ 9-500.36 and 11-269.14)

Attachment 26

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2444

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas		✓			✓
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		8	0	0	1

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Mary Reilly
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 27



HOUSE OF REPRESENTATIVES

HB 2447

business entities; database; posting; requirements
Prime Sponsor: Representative Montenegro, LD 13

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HB 2447 requires the Arizona Corporation Commission (Commission) to establish and maintain an online database for the filing of certain business documents, beginning January 1, 2017.

PROVISIONS

1. Requires the Commission to establish and maintain a database for the filing of certain documents.
2. Limits the database to the inclusion of documents filed for an entity with a known place of business located in a county with a population of greater than 800,000 persons.
3. Allows the Commission to input information regarding approval of the filings into the database within 60 days rather than publishing the information in a newspaper of general circulation in the county of the known place of business for three consecutive publications.
4. Requires the Commission to post the database on its website to allow the public to search for business information, including an entity's name, approval date and county of known place of business.
5. Stipulates the information must be maintained in the database for at least 90 days.
6. Makes technical and conforming changes.
7. Becomes effective on January 1, 2017.

CURRENT LAW

Article 15 of the Arizona Constitution establishes the Commission. The Corporations Division approves all articles of incorporation for Arizona businesses and the Corporate Filings Section approves and processes all filings directly related to articles of incorporation and organization. The Corporate Filings Section also determines availability of corporate names, processes applications filed by foreign corporations seeking authority to transact business in Arizona and certifies copies of any and all corporate documents on file for introduction into court and private business transactions. The Commission is required to publish approval of certain filings within 60 days in a newspaper of general circulation in the county of the known place of business for three consecutive publications; an affidavit evidencing the publication may be filed.

ADDITIONAL INFORMATION

According to the Fiscal Note, the Commission can create the database with existing staff resources.

Counties with a population greater than 800,000 persons include: 1) Maricopa; and 2) Pima.

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HB 2447

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston			✓		
Mr. Larkin		✓			
Mr. Lovas		✓			
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate			✓		
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		7	2	0	0

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Mary Reilly
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HCR2008

day of remembrance; murder victims

Prime Sponsor: Representative Boyer, LD 20

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HCR 2008 proclaims September 25, 2016, as Arizona Day of Remembrance for Murder Victims.

PROVISIONS

1. Announces September 25, 2016, as Arizona Day of Remembrance for Murder Victims.

CURRENT LAW

Not currently addressed in statute.

Attachment 30

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HCR 2008

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas		✓			
Mr. Olson		✓			
Mr. Petersen					✓
Mr. Saldate		✓			
Ms. Townsend		✓			✓
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		7	0	0	2

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Mary Reilly
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 31



HOUSE OF REPRESENTATIVES

HCR2011

tartan day

Prime Sponsor: Representative Townsend, et al., LD 16

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HCR 2011 announces April 6, 2016, as Tartan Day in Arizona.

PROVISIONS

1. Declares April 6 2016, as Tartan Day in Arizona.
2. Encourages Members of the Legislature to promote, observe, celebrate and recognize the contributions that Scottish Americans have made to Arizona and the U.S.

CURRENT LAW

Not currently addressed in statute.

Attachment 32

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HCR 2011

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas					✓
Mr. Olson		✓			✓
Mr. Petersen					✓
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		7	0	0	2

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HCR 2023

proposition 105; legislative authority

Prime Sponsor: Representative Thorpe, LD 6

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HCR 2023, upon voter approval, modifies the Legislature's power to repeal, amend, supersede and transfer monies designated by initiative or referendum measures (Proposition 105).

PROVISIONS

1. Allows the Legislature to do any of the following with three-fifths votes of the members from each house of the Legislature by a roll call vote:
 - a. repeal or amend an initiative or referendum; and
 - b. adopt any measure that supersedes an initiative approved or referendum decided by a majority of votes cast.
2. Removes the requirement that the amending legislation or the appropriation or diversion of funds must further the purpose of the measure.
3. Requires the Secretary of State to submit this proposition to the voters at the next general election.

CURRENT LAW

In 1998 voters passed Proposition 105 that amended the Arizona Constitution relating to initiative and referendum measures. The Legislature does not have the power to repeal an initiative or referendum measure decided or approved by a majority of the votes cast; however, the Legislature may amend, supersede or transfer funds designated by the initiative or referendum if: 1) the amending legislation furthers the purpose of the measure; and 2) receives at least three-fourths vote of the members of each house of the Legislature by a roll call vote (Arizona Constitution, Article IV, Part 1, § 1).

ADDITIONAL INFORMATION

In the House of Representatives, three-fourths equals 45 members and three-fifths equals 36 members. In the Senate, three-fourths equals 23 members and three-fifths equals 18 members.

Attachment 34

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HCR 2023

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston			✓		
Mr. Larkin			✓		
Mr. Lovas		✓			
Mr. Olson		✓			
Mr. Petersen					✓
Mr. Saldate			✓		
Ms. Townsend					✓
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		4	3	0	2

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Meg Reilly
COMMITTEE SECRETARY

ATTACHMENT _____



HOUSE OF REPRESENTATIVES

HCR 2031

personal property tax; exemption

Prime Sponsor: Representative Mesnard, LD 17

X Committee on Government and Higher Education

Committee on Appropriations

Caucus and COW

House Engrossed

OVERVIEW

HCR 2031 increases the full cash value exemption for qualifying personal property.

PROVISIONS

1. Prohibits levying a tax on the first \$2.4 million of full cash value of personal property initially acquired during or after Tax Year 2016 that is used for agricultural purposes or in a trade or business.
2. Permits the Legislature to increase the exemption amount.
3. Declares the measure as the "Small Business Job Creation Act".
4. Requires the Secretary of State to submit this proposition to the voters at the next general election.
5. Makes technical and conforming changes.

CURRENT LAW

The first \$50,000 of full cash value of a taxpayer's personal property used for agricultural purposes or in a trade or business is exempt from taxation. The Department of Revenue is required to annually increase the maximum amount of exemption for the following tax year based on the percentage increase, if any, in the *employment cost index* for total compensation for private industry workers in the two most recent complete state fiscal years (A.R.S. § 42-11127). *Full cash value* is synonymous with market value which means the estimate of value that is derived annually by using standard appraisal methods and techniques. The full cash value is prohibited from being greater than market value regardless of the method prescribed to determine value for property tax purposes. *Personal property* is defined as property of every kind, both tangible and intangible, not included in real estate (A.R.S. § 42-11001).

Attachment 36

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HCR 2031

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston			✓		
Mr. Larkin	✓		✓		
Mr. Lovas		✓			
Mr. Olson		✓			
Mr. Petersen		✓			
Mr. Saldate			✓		
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		6	3	0	0

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

Max Reilly
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 37



HOUSE OF REPRESENTATIVES

HCR2033

Arizona pastor appreciation month

Prime Sponsor: Representative Montenegro, et al., LD 13

X Committee on Government and Higher Education

Caucus and COW

House Engrossed

OVERVIEW

HCR 2033 declares October 2016 as Arizona Pastor Appreciation Month.

PROVISIONS

1. Proclaims October 2016 as Arizona Pastor Appreciation Month.

CURRENT LAW

Not currently addressed in statute.

Attachment 38

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-second Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION BILL NO. HCR 2033

DATE January 28, 2016 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Ms. Alston		✓			
Mr. Larkin		✓			
Mr. Lovas		✓			
Mr. Olson					✓
Mr. Petersen		✓			
Mr. Saldate		✓			
Ms. Townsend		✓			
Mr. Ackerley, Vice-Chairman		✓			
Mr. Thorpe, Chairman		✓			
		8	0	0	1

APPROVED:

Bob Thorpe
BOB THORPE, Chairman
J. CHRISTOPHER ACKERLEY, Vice-Chairman

May Rully
COMMITTEE SECRETARY

ATTACHMENT _____

Attachment 39

ARIZONA STATE LEGISLATURE
Fifty-second Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON GOVERNMENT AND HIGHER EDUCATION

CHAIRMAN: Bob Thorpe VICE-CHAIRMAN: J. Christopher Ackerley

DATE	1/28 /16	/16	/16	/16	/16
CONVENED	9:05 ^{AM}	m	m	m	m
RECESSED	11:00 ^{AM}				
RECONVENED	11:15 ^{AM}				
ADJOURNED	12:35 ^{PM}				
MEMBERS					
Ms. Alston	✓				
Mr. Larkin	✓				
Mr. Lovas	✓				
Mr. Olson	✓				
Mr. Petersen	✓				
Mr. Saldate	✓				
Ms. Townsend	✓				
Mr. Ackerley, Vice-Chairman	✓				
Mr. Thorpe, Chairman	✓				

✓ Present --- Absent exc Excused